

FORM PTO-1390  
 (Rev. 10-96)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

KEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
 DESIGNATED/ELECTED OFFICE (DO/EO/US)  
 CONCERNING A FILING UNDER 35 U.S.C. 371**

022650-498

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

**09/180477**
 INTERNATIONAL APPLICATION NO.  
**PCT/FR97/00816**

 INTERNATIONAL FILING DATE  
**07 May 1997**

 PRIORITY DATE CLAIMED  
**10 May 1996**

 TITLE OF INVENTION  
**PROTECTION AGAINST TERMITES**

 APPLICANT(S) FOR DO/EO/US  
**Xavier MARZE**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau), including Request.
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form PTO-1449, associated Transmittal Letter and copies of the 17 cited documents.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

A separate Claim for Convention Priority and copy of Form PCT/IB/304.  
 A copy of the International Search Report (in French and English).  
 A copy of the International Preliminary Examination Report (Form PCT/IPEA/409) (in French only).  
 A copy of Form PCT/IB/308.

The declaration of the inventor will follow.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50)		INTERNATIONAL APPLICATION NO. PCT/FR97/00816		ATTORNEY'S DOCKET NUMBER 022650-498	
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17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO ..... \$930 International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$720.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$790.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1070.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$98.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>					
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). <span style="float:right;"><input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30</span>				\$ 130.00	
Claims *	Number Filed *	Number Extra *	Rate		
Total Claims	71 -20 =	51	X\$22.00	\$ 1,122.00	
Independent Claims	1 -3 =	0	X\$82.00	\$ 0.00	
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$ 0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 2,182.00	
Reduction for 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00	
<b>SUBTOTAL =</b>				\$ 2,182.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). <span style="float:right;"><input type="checkbox"/> 20 <input type="checkbox"/> 30</span>				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 2,182.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 2,182.00	
* as amended by accompanying Preliminary Amendment.				Amount to be: refunded	\$
				charged	\$

a. ☒ A check in the amount of \$ 2,182.00 to cover the above fees is enclosed.


b. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Norman H. Stepno  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

  
 SIGNATURE  
 Mary Katherine Baumeister  
 NAME  
26,254  
 REGISTRATION NUMBER

Dated: November 10, 1998